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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA-LOS ANGELES DIVISION

KANG SHEN CHEN.

CASE NO: SACV-14-0138 RSWL

Plaintiff,

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T.T. GROUP, a California Corporation; JASON CHEN, an Individual; JENNIFER CHEN, and Individual; STEWART FAHMY, an Individual, VICTORIA BOOKE, an Individual; and DOES 1 through 100, inclusive.

Defendants.

JUDGMENT

This lawsuit was originally filed on January 31, 2014. Compl. (Dkt. 1). Plaintiff Kang-Shen Chen brought six claims against Defendants T.T. Group, Jason Chen, Jennifer Chen, Stewart Fahmy, and Victoria Booke: three claims for fraud, two claims for violations of 42 U.S.C. § 1983, and one claim under the Racketeer Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. §§ 1961, 1964.

On June 20, 2014, the Court granted Defendant Victoria Booke's motion to dismiss, dismissing the state law claims and § 1983 claims against Ms. Booke with prejudice and dismissing the RICO claim because it was time-barred. See Order Granting Mot. to Dismiss at 1-

1 3, June 20, 2014 (“June 20, 2014 Order”) (Dkt. 14).

2 Mr. Chen then filed a First Amended Complaint on July 18, 2014, alleging a
3 single RICO claim. First Am. Compl. (“FAC”) (Dkt. 19). Defendant Booke again filed a
4 motion to dismiss (Dkt. 20). The Court granted the motion as unopposed on August 28,
5 2014 (Dkt. 24).

6 Mr. Chen then filed a Second Amended Complaint on September 22, 2014, again
7 alleging a single RICO claim. Second Am. Compl. (“SAC”) (Dkt. 28). Defendants
8 Booke, T.T. Group, and Jennifer Chen filed a motion to dismiss (Dkt. 30).

9 On November 4, 2014, the Court dismissed the case with prejudice because Mr. Chen’s
10 opposition was filed late (Dkt. 34). In said order, the Court provided that “If Plaintiff does not
11 file an amended complaint, or again fails to time respond to a subsequent motion to dismiss, this
12 Court shall dismiss the complaint WITH PREJUDICE.”

13 Plaintiff then brought Rule 60(b)(1), (6) motion for relief. On January 15, 2015, this
14 Court denied that motion based upon Plaintiff’s failure to timely file oppositions, and further held
15 that even the opposition had been timely, or if the Court had overlooked the tardiness of
16 Plaintiff’s opposition, the Court “would still have granted the motion on the merits and would still
17 have dismissed Mr. Chen’s complaint with prejudice.” (Dkt. 40)

18 Plaintiff then brought a Request for Rehearing, which this Court denied on or about
19 February 3, 2015. (Dkt. 42)

20 Plaintiff’s complaint having been dismissed WITH PREJUDICE, FINAL JUDGMENT IS
21 HEREBY ENTERED in favor of Defendants and costs awarded to Defendants.

22 IT IS SO ORDERED.

23 Date: February 13, 2015



24 Hon. David O. Carter
United States District Court Judge

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